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judgment for \$8,250, while in the federal court judgment was directed for defendant. No appeal was taken from the judgment of the federal court, but defendant prosecuted a writ of error from the judgment of the state court to the Kentucky Court of Appeals, and from that on the United States Supreme Court, both of which tribunals affirmed the decision of the Union county court, and held that the petition for removal was properly denied. Defendant then filed in the federal Circuit Court an application for injunction to restrain enforcement of the judgment of the state court. The Circuit Court discusses the question as to the validity of its own judgment, and holds that as it was not directly questioned by appeal or proceedings in error that it is void, notwithstanding the decision of the Supreme Court on writ of error prosecuted from the state court. But, conceding this to be the fact, it still remained true that plaintiff had a valid judgment in the state court, and, as the questions presented to the Supreme Court were the same as they would have been had the writ of error been taken from the judgment in the federal court, it was held that defendant was judicially estopped from relying on the judgment of the federal court as a bar to the enforcement of that of the state court.

American Acquires Domicile in China.—Henry Cunningham, abandoned his domicile of origin in Waldo, Me., and made his home, established his business, and had his headquarters, from 1869 until the time of his death, 36 years later, in Shanghai, China. The problem in *Mather v. Cunningham*, 74 Atlantic Reporter, 809, is, Can an American, under any circumstances, acquire, as a matter of law, a domicile in the province of Shanghai, a place where, by treaty, American law is substituted for Chinese local laws? Counsel contend that the term domicile necessarily implies subjection and obedience to the local laws of the domicile, and that this cannot be said to be true of a residence in Shanghai, because its laws governing American citizens are extended by treaty instead of edict. The Supreme Judicial Court of Maine holds that as the ownership of the soil controls the establishment of all local laws and without the consent of the sovereign, no extraterritorial law can be enacted within an independent jurisdiction, or extended to it, the American law became the local law when the Emperor of China permitted Congress to extend it by treaty; that the fundamental idea of domicile does not depend upon any distinction with respect to the source of the law; that Chinese domicile gives a decedent's estate a fixed place of abode, and subjects it to the law governing the locality, and, whether American law or Chinese law, it is, nevertheless, the law of the place, as to American citizens. After a lengthy but well-reasoned and interesting opinion, the conclusion of the court is that Cunningham acquired a domicile of choice in Shanghai.